

**CLEAN, RENEWABLE, AND EFFICIENT ENERGY ACT (EXCERPT)**  
**Act 295 of 2008**

**460.1011 Definitions; R.**

Sec. 11. As used in this act:

- (a) "Renewable energy" means electricity generated using a renewable energy system.
- (b) "Renewable energy capacity portfolio" means the number of megawatts calculated under section 27(2) for a particular year.
- (c) "Renewable energy contract" means a contract to acquire renewable energy and the associated renewable energy credits from 1 or more renewable energy systems.
- (d) "Renewable energy credit" means a credit granted pursuant to section 41 that represents generated renewable energy.
- (e) "Renewable energy credit portfolio" means the sum of the renewable energy credits achieved by a provider for a particular year.
- (f) "Renewable energy credit standard" means a minimum renewable energy portfolio required under section 27.
- (g) "Renewable energy generator" means a person that, together with its affiliates, has constructed or has owned and operated 1 or more renewable energy systems with combined gross generating capacity of at least 10 megawatts.
- (h) "Renewable energy plan" or "plan", means a plan approved under section 21 or 23 or found to comply with this act under section 25, with any amendments adopted under this act.
- (i) "Renewable energy resource" means a resource that naturally replenishes over a human, not a geological, time frame and that is ultimately derived from solar power, water power, or wind power. Renewable energy resource does not include petroleum, nuclear, natural gas, or coal. A renewable energy resource comes from the sun or from thermal inertia of the earth and minimizes the output of toxic material in the conversion of the energy and includes, but is not limited to, all of the following:
  - (i) Biomass.
  - (ii) Solar and solar thermal energy.
  - (iii) Wind energy.
  - (iv) Kinetic energy of moving water, including all of the following:
    - (A) Waves, tides, or currents.
    - (B) Water released through a dam.
  - (v) Geothermal energy.
  - (vi) Municipal solid waste.
  - (vii) Landfill gas produced by municipal solid waste.
- (j) "Renewable energy standard" means the minimum renewable energy capacity portfolio, if applicable, and the renewable energy credit portfolio required to be achieved under section 27.
- (k) "Renewable energy system" means a facility, electricity generation system, or set of electricity generation systems that use 1 or more renewable energy resources to generate electricity. Renewable energy system does not include any of the following:
  - (i) A hydroelectric pumped storage facility.
  - (ii) A hydroelectric facility that uses a dam constructed after the effective date of this act unless the dam is a repair or replacement of a dam in existence on the effective date of this act or an upgrade of a dam in existence on the effective date of this act that increases its energy efficiency.
  - (iii) An incinerator unless the incinerator is a municipal solid waste incinerator as defined in section 11504 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.11504, that was brought into service before the effective date of this act, including any of the following:
    - (A) Any upgrade of such an incinerator that increases energy efficiency.
    - (B) Any expansion of such an incinerator before the effective date of this act.
    - (C) Any expansion of such an incinerator on or after the effective date of this act to an approximate design rated capacity of not more than 950 tons per day pursuant to the terms of a final request for proposals issued on or before October 1, 1986.
  - (l) "Revenue recovery mechanism" means the mechanism for recovery of incremental costs of compliance established under section 21.

**History:** 2008, Act 295, Imd. Eff. Oct. 6, 2008.

**Compiler's note:** Enacting section 1 of Act 295 of 2008 provides: "Enacting section 1. As provided in section 5 of 1846 RS 1, MCL 8.5, this act is severable."